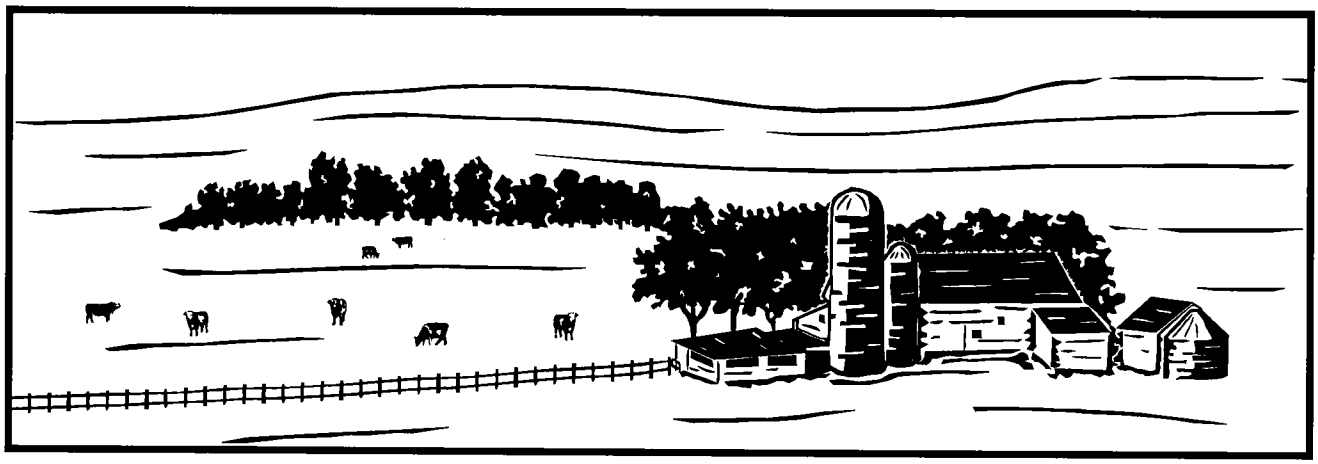
The California Land Conservation (Williamson) Act



1993 to 1995 Status Report

Pete Wilson
Governor
State of California

Douglas P. Wheeler
Secretary for Resources
The Resources Agency

Elin D. Miller
Director
Department of Conservation

Enrollment Patterns

The volume of activities which affect Williamson Act land throughout the state is usually relatively high at any given point in time. These activities, however, generally do not result in large annual fluctuations in the total number of enrolled acres on a statewide basis. On a county-wide or region-wide basis, however, these activities may result in more noticeable changes. A complete set of data describing these activities is available for all participating jurisdictions in the Appendix.

About the Data

Data for this status report was gathered via applications for payment under the Open Space Subvention Act. The applications report, on a lien year basis, local changes in the amount and status of Williamson Act land. The lien year, which begins and ends on March 1, is used for various tax assessment procedures. Applications received during 1995 report changes which occurred between March 1, 1994, and March 1, 1995.

Williamson Act land is classified as either prime or nonprime (Table 3). These categories exist primarily for determining subvention payment amounts. Nonprime land, which typically consists of grazing and range land, is also referred to as Open Space of Statewide Significance. Urban prime land, while no longer a separate category for subvention payments, is recorded for purposes of data analysis.

When a nonrenewal is initiated, the contract remains in effect during the phase-out period. At any point in time, therefore, a small portion of the total land enrolled under contract is in the process of nonrenewal. For reporting purposes there are two possible methods for describing the effect of nonrenewals on total acreage. A nonrenewal may be counted as acreage lost from the program at the time it is initiated, or at the time it expires, nine years later.

- *Land qualifying for rating I or II in the land use capability classifications of the USDA's Natural Resource Conservation Service, or rating 80 through 100 in the Storie Index Rating.*
- *Land with a livestock capacity of at least one animal unit per acre/year.*
- *Land planted with trees, vines, bushes or crops with a nonbearing period of less than five years which annually return not less than $200 per acre during the bearing period from unprocessed agricultural plant production.*
- *Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than $200 per acre for three of the previous five years.*

Table 3. **Definitions of Williamson Act Prime Land** (Government Code Section 51201c).

For calculating the total number of enrolled acres, nonrenewals are counted as acreage lost upon their *expiration*. For analyzing net changes and regional enrollment patterns, however, nonrenewals are counted as acreage lost at the time they are *initiated*. This method allows comparisons of the points at which landowners decide to begin nonrenewal.

Contracts terminated through public acquisition and city annexation are grouped into a single category in this report. City annexations, however, comprise only a small proportion (roughly 4 percent) of acreage in the category, and are confined to a few counties. In the 1994/95 lien year, for example, contracts were terminated through city annexation on about 1,500 acres statewide--roughly 280 acres in Riverside County, 780 acres in San Joaquin County, 120 acres in Tulare County, and 330 acres in Yolo County. For the sake of clarity, the category is labeled according to its largest component, i.e., public acquisition.

The acreage of particular parcels is routinely affected by resurveys, minor boundary adjustments, parcel size re-calculations, and other planning and assessment activities. While these activities do not terminate or initiate contracts, they nonetheless affect the amount of enrolled acreage.

Historical Trends

When the program was initiated in 1965, local assessors had no criteria for the valuation of land enrolled under Williamson Act contract. Enrolled parcels were assessed in essentially the same way they had been prior to the Act: according to speculation-driven market value. Consequently, only 200,000 acres in six counties were enrolled under Williamson Act contract in the program's first year.

With the addition of Article 28 (now part of Article 13) to the state constitution in 1966, however, assessors were provided with a basis for making property valuations according to the actual use of the land. New enrollments increased rapidly beginning in 1967, and the trend accelerated with the passage of the Open Space Subvention Act

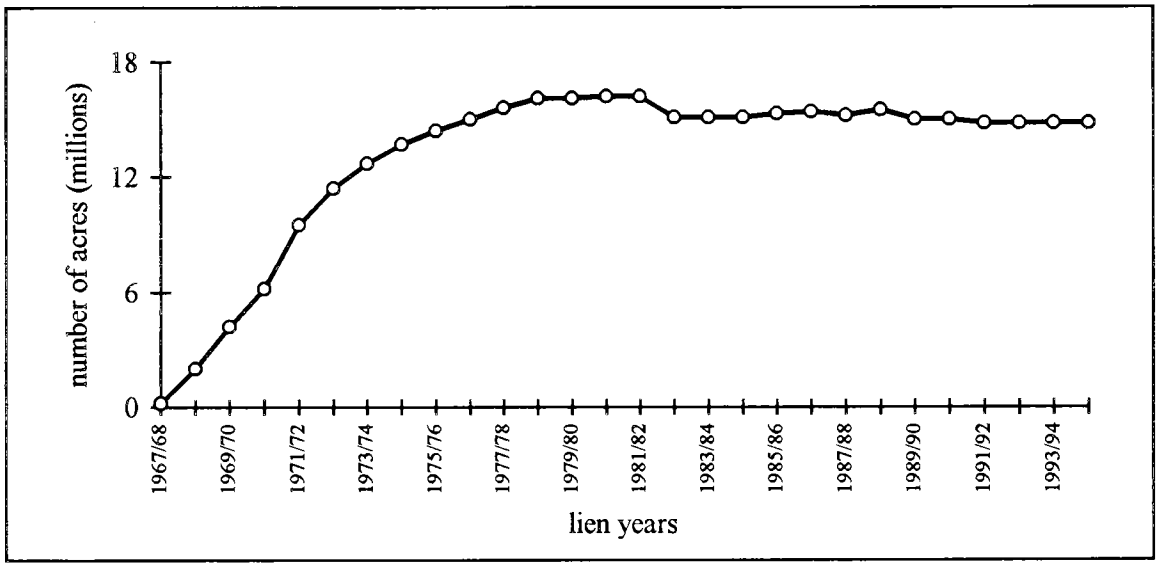


Figure 1. **Williamson Act Enrollment 1967 - 1995.**

in 1971 (Figure 1). By 1972 nearly 10 million acres were enrolled. Significant increases continued until enrollment reached well over 16 million acres in 1981.

In 1982, about one million acres were transferred from enrollment under Williamson Act contract to the Department of Forestry's Timber Production Zone Program--a restrictive use arrangement similar to the Williamson Act. A modest rate of increase resumed over the following four years, with enrollment again approaching 16 million acres by 1986.

Recent Trends

As of March 1, 1995, about 15.9 million acres were enrolled under Williamson Act contract statewide. This number represents over half of California's total farm and ranch land, and nearly one-third of all privately held land in the state.

This level of enrollment has remained relatively stable over the last ten years. Since 1986, about 925,000 acres have been removed from the program while about 815,000 acres have been added (Figure 2). These figures translate to a net decrease in statewide enrollment of about 110,000 acres, resulting in a change of less than seven-tenths of one percent compared to the 1986 total. This relative stability indicates the program has attained a position of maturity which seems likely to endure at least into the near future.

The program's stability, however, has not resulted from low levels of activity. The absolute *volume* of activity over the last ten years has actually been high compared to much of the program's earlier period.

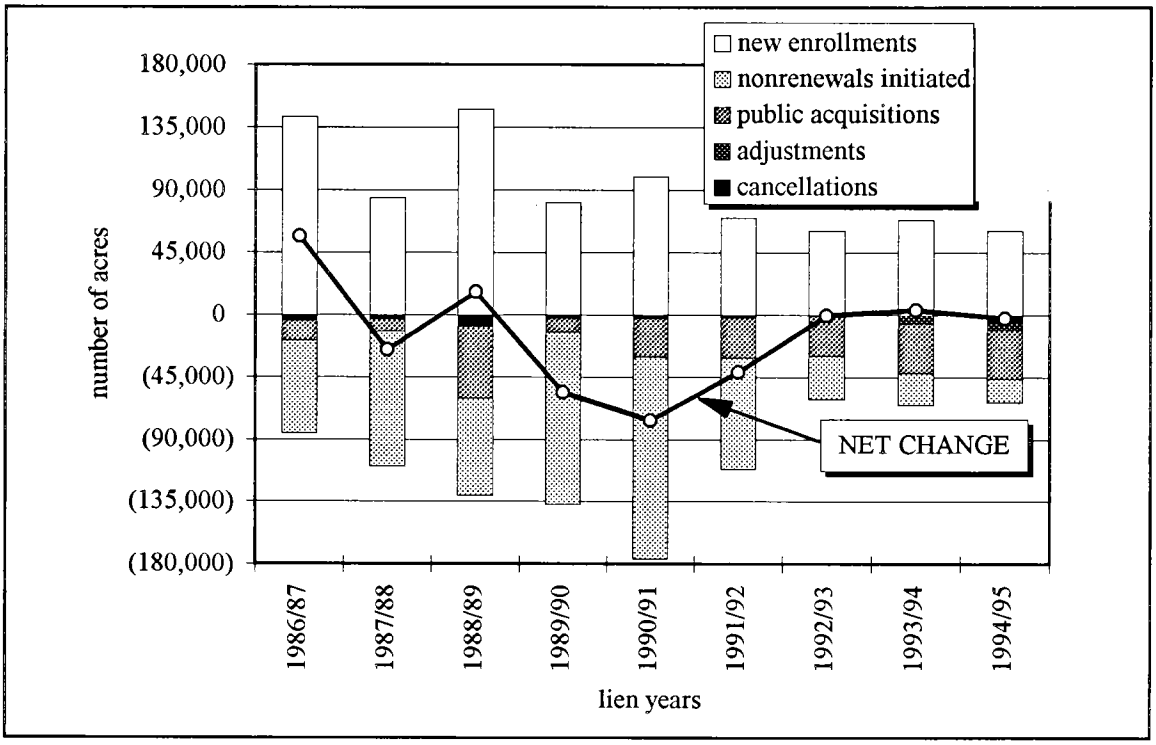


Figure 2. **Williamson Act Enrollment Activity Trends 1986 - 1995.** Note that the range of the chart causes fluctuations to appear much greater than they actually are in relation to total acreage.

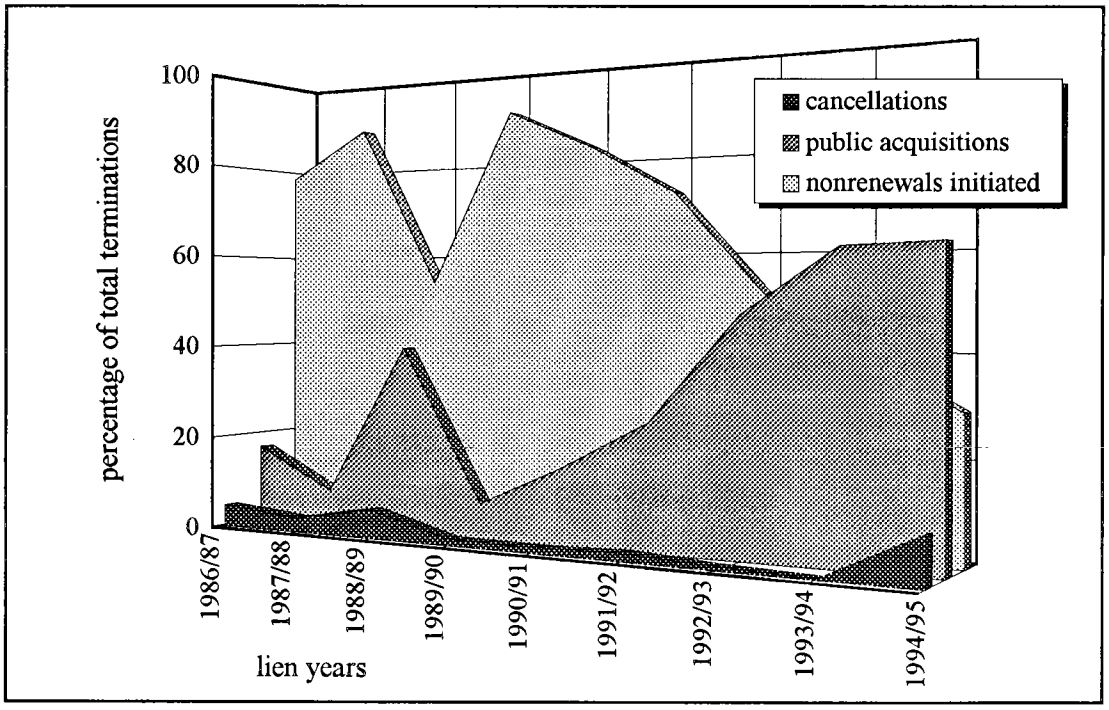


Figure 3. **Proportions of Termination Activity 1986 - 1995.**

Enrollment stability has resulted from the fact that contract terminations have generally been balanced by new enrollments.

Since 1986, net changes to Williamson Act enrollment have annually equaled less than one-half of one percent of total acreage. The largest net gain occurred during the 1986/87 lien year, when the program enjoyed an overall increase of about 57,000 acres. The highest net loss occurred during the 1990/91 lien year, when enrollment decreased by about 77,000 acres.

In the past three years, the magnitude of annual net changes has tapered off dramatically. During the 1992/93 lien year, for example, only about 61,000 acres were removed from the program, with only slightly fewer acres added. These changes resulted in a negligible net loss of only about 350 acres. Between 1993 and 1995 a small net gain of about 1,500 acres was realized.

New enrollments have generally remained more stable than total terminations from year to year. Over the last ten years, new enrollments have fluctuated from a high of about 147,000 acres added in the 1988/89 lien year, to a low of about 60,000 acres added in the 1994/95 lien year--a spread of about 87,000 acres. During the same period, the spread between the highest and lowest number of total contract terminations was about 126,000 acres--fluctuating from a high of about 176,000 acres in the 1990/91 lien year, to a low of about 50,000 acres in the 1994/95 lien year.

The types of contract terminations have varied widely in proportion to one another since 1986 (Figure 3). The acreage of nonrenewals initiated, for example, has ranged from 33 percent (1994/95 lien year) to nearly 90 percent (1987/88 lien year) of the total acreage terminated. Cancellations have ranged from about 1 percent (1990/91 lien year) to 11 percent (1994/95 lien year) of total terminations, while public acquisitions of contracted land have ranged

from about 8 percent (1987/88 lien year) to 60 percent (1993/94 lien year).

Nonrenewals have historically accounted for at least half of the number of terminations in any given year. Continuing a trend begun during the 1990/91 lien year, however, the proportion of nonrenewal acreage to other types of terminations dropped below 50 percent during the 1993/94 lien year. The decreasing proportion of nonrenewal activity has been replaced almost in-kind by terminations in the public acquisition category. Sustaining long-term historical trends, cancellations have continued to account for only a minor proportion of total terminations.

Acreage Composition: Prime vs. Nonprime

Over one-third of the land currently enrolled under contract is defined as prime agricultural land by the Williamson Act (Figure 4). About 11 percent of this third (roughly 4 percent of the total enrolled) consists of land classified as urban prime. The remaining prime land falls under the conventional prime classification and is referred to, for the sake of clarity, as 'other' prime.

Some critics have contended that the Williamson Act Program protects primarily range and grazing land as opposed to the state's highest quality agricultural land. These critics support their argument by correctly noting that two-thirds of the land enrolled under Williamson Act contract is classified as nonprime. This statistic alone, however, gives a misleading impression of the program if not considered in context.

The sale of cattle and calves, for example, ranks third among dollar values for all California agricultural commodities (California Department of Food and Agriculture 1995). The production of this commodity group is supported primarily on range and grazing lands. While these lands usually do not qualify for prime classification under the Williamson Act because their *per acre* production value is not high enough, they nonetheless sustain some of the state's most important agricultural activities. The 10 million acres of nonprime land enrolled under Williamson Act contract clearly represent a vital agricultural resource.

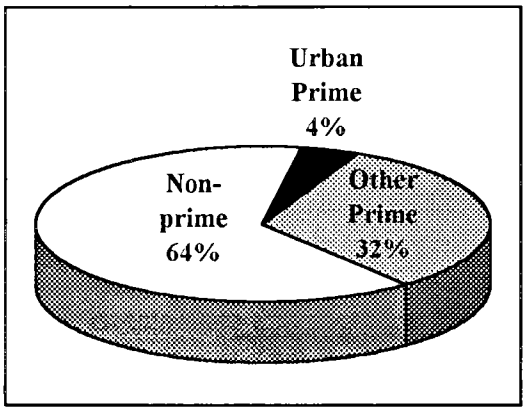


Figure 4. **Proportions of Williamson Act Land Categories.**

Even more compelling are statistics illustrating the proportion of the state's irrigated farmland protected by the Williamson Act. The phenomenal productivity of California's agricultural land is fundamentally a result of the availability of water for irrigation. The vast majority of the state's high value crops, in fact, are produced with the application of irrigation water. The number of irrigated acres is thus the best available measure of California's most valuable farmland--i.e., its prime agricultural land.